

Remarks

Reconsideration is respectfully requested. Claims 1-22 are in the case and stand rejected.

Claim Amendments

Claims 1-22 are in the case. Claims 8 and 18 have been amended to comply with a requirement of form in accordance with 37 CFR 1.116. Therefore, the applicant believes it is proper for the examiner to enter the amendments to claims 8 and 18, and respectfully requests the examiner enter them.

Claim Rejections – 35 USC § 112

The examiner has rejected claims 8-10 and 18-22 for containing the trademark/trade name "PCI Industrial Computer Manufactures Group – PICMG." The applicant has amended claims 8 and 18 to remove the term referred to by the examiner. Claims 9-10 and 19-22 respectively depend from claims 8 and 18. Accordingly, the applicant believes the rejection is avoided and respectfully requests the examiner withdraw the rejection.

Claim Rejections – 35 USC § 103

The examiner has rejected claims 1-6, and 11-16 under 35 U.S.C. 103(a) as being unpatentable over Patriche et al. US 6,499,609 in view of Coward et al. US 2005/0071689. Applicant respectfully requests reconsideration of this rejection for the following reasons:

Coward et al. has an earliest effective date of September 26, 2003. However, the invention date of the subject matter of claims 1-6, and 11-16 precede that date as evidenced by the attached declaration under 37 C.F.R. § 1.131, along with photocopies of the supporting documents that are provided herewith. In particular, the declaration along with the photocopies of the supporting documents show that the subject matter of claims 1-6, and 11-16 has a conception date at least as early as July 28, 2003, and subsequent diligence beginning at least prior to the earliest effective date of Coward et al. (September 26, 2003) until filing of the provisional application filed September 29, 2003 on which the benefit of priority has been properly claimed, and further until the

filings of the subject patent application on December 29, 2003. Therefore, the invention date of the subject matter of claims 1-6, and 11-16 predates the effective date of Coward et al., rendering Coward as an ineligible reference. Applicant, therefore, respectfully requests the examiner withdraw the rejection under section 103(a) and allow claims 1-6 and 11-16.

Claim Rejections – 35 USC § 103

The examiner has rejected claims 7-10, and 17-22 under 35 U.S.C. 103(a) as being unpatentable over Patriche et al., in view of Harris et al. [US 2003/0235042]. Harris does not remedy the deficiency of Patriche admitted by the Examiner. Therefore, claim 1 remains patentable over Patriche, even when combined with Harris. Claims 7-10, depend from and include all the limitations of base claim 1.

Claim 11 contains in substance the same recitations as claim 1. Therefore, for at least the same reasons, claim 11 is patentable over Patriche and Harris. Similarly, claims 17-22 depend from and include all the limitations of base claim 11. At least by virtue of being dependent on allowable claims (as discussed) applicant respectfully requests the examiner reconsider the rejection under section 103(a) and allow these remaining claims in the case.

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Application No.: 10/748,385

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Conclusion

Applicant submits all the claims in the present application, specifically claims 1-22 are in condition for allowance. A Notice of Allowance is respectfully requested.

If there are any questions, the Examiner is invited to contact the undersigned at (503) 796-2496. Also, the Commissioner is hereby authorized to charge shortages or credit overpayments to Deposit Account No. 500393.

Respectfully submitted,

SCHWABE, WILLIAMSON & WYATT, P.C.

Dated: 5-19-06



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